

Unclassified Service Public Hearing

Public Hearing Agenda # 014

General Manager (RI Water Resources Board)

Commissioner, Department of Elementary and Secondary Education

Minutes of Proceeding

March 27, 2009 (F)

Good morning everyone. My name is Anthony Bucci and I am the State Personnel Administrator and I am employed at the Rhode Island Department of Administration. I am here today to conduct an “Unclassified” Public Hearing on behalf of Jerome F. Williams, Director of the Department of Administration. This hearing is being conducted pursuant to Chapter 36-4 of the Rhode Island General Laws, specifically Sections 36-4-16 and 36-4-16.2.

For the record, today is Friday, March 27th, 2009 at 9:05 AM. Notice of this Public Hearing was posted on Tuesday, March 24th, 2009 on each of the five floors within the Department of Administration, at the State House Library and filed electronically with the Secretary of State. Further, on Tuesday, March 24th, 2009, the Notice and Agenda were electronically forwarded to labor union officials, and state agency managements.

The purpose of this Hearing is to allow for public comments concerning two (2) proposed amendments to the Unclassified Service Classification and Pay Plan contained in Public Hearing Agenda #

014. The first is being proposed by the RI State Water Resources Board and the second by the Department of Elementary & Secondary Education.

In terms of process, it is important to note that all comments will be recorded and this record shall be reviewed by the Director of the Department of Administration and the Governor of the State of Rhode Island. Subsequently, a final decision will be made and that decision will be implemented.

If you wish to make a comment on the proposed amendments, I ask that you please speak loud enough in order to make certain that the recorder here in the front of the room can accurately record your comments. Also, please identify yourself and “spell” your last name for the record and if you are representing an organization please identify that organization. Finally, if you have any “written comments” you are welcome to provide a copy.

As I proceed through the Agenda, I will identify each item being proposed individually, and subsequently, those of you wishing to provide public comment may do so.

Please turn to page one (1) of the Agenda.

Agenda Item # 1 proposes the class abolishment of “General Manager & Chief Engineer (Water Resources Board)” at a pay grade 845A with

a pay range of \$101,744 through \$114,140. In its place, the proposal creates the new classification – “General Manager (RI Water Resources Board)” at a pay grade 839A, a six (6) pay grade reduction with a range of \$76,949 through \$89,350. The incumbent who has been appointed and performing the duties of General Manager is Mr. Kenneth Burke. Mr. Burke will be reallocated from his current title of “Chief of Staff” at pay grade 839A to the new classification of “General Manager (RI Water Resources Board)” also at a pay grade 839A. There is no change in pay grade or salary for this incumbent and this change is proposed to be in effect on April 12, 2009.

Are there any comments on Agenda Item # 1?

Hearing none, the record will reflect that there is no public comment on Agenda Item # 1.

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Agenda Item #2 proposes a base salary adjustment for the classification of – “Commissioner, Department of Elementary and

Secondary Education”. It is proposed that the Flat Rate Salary Schedule F00 will reflect a base pay salary adjustment to pay grade F56 from a flat rate \$135,516 to the flat rate of \$203,000. This change is proposed to be in effect on July 1, 2009. Currently, there is no incumbent associated with this proposal.

Are there any comments on Agenda Item # 2?

Bucci: Mr. Leidecker

Public comment: John Leidecker, Union Official of National Education Association:

“I work for the NEA of RI. Thank you for the opportunity. I know you mentioned that these were posted, I was out of state. I’ll give credit...I got word of this hearing from getting my morning fix on Rhode Island Future. I have just 2 points I want to make. I’ve negotiated a number of contracts with teacher unions that I represent throughout the state.

In those negotiations, there was give and take. They were successfully settled. Two of the three that I needed to negotiate this year – there were modest raises. However, these raises were offset by point of service co-pays, prescription co-pays and most importantly by larger employee contribution. Nonetheless, while these were settled contracts, employers in two of the three cases have already come back to the unions and asked for concessions. They are contending that the fiscal impact of some of the Governor’s allocations to the municipalities in school aid has caused this kind of

problem in addition to the larger fiscal crises. For this reason alone, I would argue or urge the Board of Regents to withdraw this proposal. It is unconscionable that we would be thinking of giving a 50% pay raise to an individual in this economic time when every other employee is asked to be making concessions. The people who are doing the dirty work of the state, the line staff, are being asked to pay even more. I think it is unconscionable again that we consider this sort of pay raise. There's a second reason. We already have a person in this position. The current Commissioner is paid substantially less than this pay raise seeks to gain for the new hire. It's pretty well known why this current Commissioner is not remaining in his position. Simply put, he opposes high stakes testing...something that the Governor wants. So we have an educator making an educationally sound decision supported by data, being trumped by a businessman whose last relevant classroom time was more than 45 years ago, and to top it off, we're going to increase the pay of the replacement by 50%. This will not sit well with Rhode Islanders. It certainly won't sit well with the people I represent. So I would encourage the Board of Regents to withdraw this. I certainly think the people I represent will find it offensive. I have no further comments. Thank you for your time."

Bucci: Thank you Mr. Leidecker. Are there any other comments? Mr. Lombardi.

Public comment: Salvatore Lombardi, President of Local 2884,

AFSCME – Council 94:

“I got up this morning and wondered what I was going to say. I told my wife what I was going to do. She was appalled about what is going to take place. She suggested that there must be a parallel universe somewhere...in reference to like a Star Trek movie. Where, here we have the Barrington/East Greenwich crowd which would propose a pay increase like this. Then you have the other universe that’s the real world of people losing their jobs, going hungry, people are forced to retire because of threats of loss of benefits and then you have a 50% increase for a person, who knows who this person is going to be in this job. I would say this is outrageous, that this is the only word that I can use...that this outrageous that in this climate & this economy in this world of today that you would propose something like this. I don’t begrudge anyone getting a pay increase but at least hire someone and see if they’re capable of doing the job and then down the road a year from now and the person (Mr. Smith – a hypothetical name) is doing a wonderful job

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then let’s give him a \$20,000 increase to keep that person here or that person’s talent in our educational system. No, you want to give him a 50% pay increase whoever their planning to give this job to. It’d just totally outrageous. The citizens of Rhode Island are going to be in an

uproar if this takes place, the state employees are going to be in an uproar, and the Governor wants us to cooperate, the unions and people, to make concessions in reference to decreases of salary, or increases in co-pays and co-shares in health benefits and every talk show in the state right now is saying that we're the ones being unreasonable. I think right now that the Commissioners and the Governor is being unreasonable with something like this. Thank you."

Bucci: Thank you Mr. Lombardi. Are there any other comments? Mr. Crowley.

Public comment: Patrick Crowley, Union Official of National Education Association:

"I just like to point out for the record that when the decision makers are hearing the recording today that there are no members of the mainstream media present, there are no members of taxpayer organizations present, there are no members of the General Assembly present, there are no other representatives of the public here, other than five (5) members of the labor movement who are watching what this administration is doing. I only want to point that out for Mr. Sasse and for our Governor to let them know that while they may think they can operate in the dark there are still people watching. As my coworker Mr. Leidecker said and my brother Mr. Lombardi said this type of raise for someone who we don't even know what they are yet or who they are yet is unconscionable especially in this time of budget stress in the state. Thank you."

Bucci: Thank you Mr. Crowley. Are there any other comments? Mr. Gingras.

Public comment: Pete Gingras, Union Official of National Education Association:

“I would respectfully implore Director Sasses to reconsider this egregious increase in pay. My personal research on this is that when I consider student population of Rhode Island and I make an analogy to other municipal entities across the country, I find 70 municipal entities that are larger than the State of Rhode Island when you consider student population. The \$200,000 salary that this employee, who is akin to a superintendent of public schools or equivalent in districts and municipalities across the country, this places that possible incumbent in the top 20th percentile of superintendents of school districts or equivalents. Now when Director Sasse and his predecessor asked that employees that they currently employ at the Department of Administration and those under there control have been asked to take reductions in pay and equivalent contributions in health care, I believe it is unfair. I believe that this employee who will assume this position would directly supervise the overall coordination of this department and individual school districts – and individuals in those districts are being asked to consider the current economic status, the reduction in funding that the Governor has proposed to these municipalities and will now become a reality. It’s unrealistic to believe

that this person should come into this position expecting this type of salary. I would demand that the Director rescind this recommendation to the Governor.”

Bucci: Thank you Mr. Gingras. Are there any other comments? Mr. Downey.

Public comment: J. Michael Downey, President of AFSCME – Council 94:

“I appreciate the opportunity to come here this morning. I cannot believe that Director Sasse would entertain this proposal. Rhode Island is facing a massive deficit. Council 94 members have been laid off, furloughed, no raises, fearful of losing pension benefits. The administration talks public versus private. It appears that the administration is following the private sector theory of rewarding folks at the top while taking from employees at the lower pay scales. The state

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continues this class warfare. Our members will revolt and I will be with them. On behalf of Council 94 members, we offer a resounding

“no” to the proposal. Thank you.”

**Bucci: Thank you Mr. Downey. Are there any other comments?
Hearing none, I declare this public hearing closed. It is now 9:15 AM.**

Thank you for taking the time to attend.

Respectfully submitted,

Anthony A. Bucci

Personnel Administrator